REMARKS

Claims 14 - 26 have been amended. Claims 1 – 26 are pending in the Application.

SUMMARY OF REJECTIONS/OBJECTIONS

Claims 14 – 26 are rejected under 35 USC 101 as directed to allegedly non-statutory subject matter because computer-readable medium covers allegedly non-tangible carrier waves. Claims 14 – 26 have been amended to recite computer-readable storage medium, which is clearly tangible. Removal and reconsideration of these rejections is respectfully requested.

Claims 1 - 4, 6, 10 - 16, 18, 22 - 26 are rejected under 35 USC 102(b) as being anticipated by Lin et al. (US 2001/0021929) hereafter referred to as Lin.

Claims 5 and 17 are rejected under 35 USC 103(a) as being unpatentable over Lin in view of Inohara et al. (US 6,757,670) hereafter referred to as Inohara.

Claims 7-9 and 19-21 are rejected under 35 USC 103(a) as being unpatentable over Lin in view of Manikutty et al. (US 2004/0064466) hereafter referred to as Manikutty.

Rejections under 35 USC 102 – Claims 1 and 14

To anticipate a claim, the reference must teach every element of the claim. MPEP 2131 "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Id., Verdegaal Bros.v.Union Oil Co.of California, 814 F.2d 628,631,2 USPQ2d 1051,1053

Claims 1 and 14 contain a number of features not inherently or expressly described in the

prior art reference by Lin and therefore render the claims allowable.

Claims 1 and 14 recite:

a database server receiving a request to execute a database statement,

> **wherein the request specifies the database statement and a tag that**
>
> **does not conform to a database language;**

wherein said tag specifies at least one parameter field and at least one parameter

value;

in response to receiving the request, said database server storing the tag;

One feature of claims 1 and 14 not described or implied is "a database server

receiving a request to execute a database statement, wherein the request specifies the

database statement and a tag that does not conform to a database language ". In fact Lin

teaches away from the database server receiving a database statement and a tag that does

not conform to a database language.

Lin discloses a client/agent/server (Lin Fig. 1, p.1 ¶ [0003]) architecture where

the agent acts as a broker and a translator of database queries. The reference explicitly

draws a distinction between a database query received by the agent and a database

command sent to the database system. Lin teaches the following sequence of actions

performed by the agent: "a database query request and the appended parameters

submitted by the user are received from a querying device" p. 4 ¶ [0051], "the query

request is converted into a corresponding database query command" p. 4 ¶ [0052] "the

query command is submitted to the related database" p. 4 ¶ [0057]. Please note the

appended parameters are not converted and/or transmitted to the database system. Furthermore there is no indication that the aforementioned parameters were appended to the database command sent to the database. Therefore, while Lin teaches an agent, separate from a database system, receives a query along with appended parameters, Lin does not teach that the database command along with appended parameters is sent to the database system, much less teach that a database statement and tags are sent to or received by a database server.

Another feature required by claims 1 and 14 is that in response to receiving the request that specifies a database statement and a tag, a database server stores the tag. While Lin may teach that the agent stores parameter values (p.3 ¶ [0035]), the reference does not teach that a database system stores the appended parameters, much less teach that a database server stores tags. As explained in the preceding paragraph, the query and appended parameters are sent to the agent, but the appended parameters are not sent to the database system in any form. Therefore, Lin cannot possibly teach that the parameters are being stored inside the database server.

Based on the foregoing, Lin fails to teach at least several features of claims 1 and 14, and thus fails to teach all the features of claims 1 and 14. Reconsideration and removal of these rejections are respectfully requested.

Rejections under 35 USC 103(a) – Claims 5, 7-9, 17, 19-21

Claims 5 and 17 are rejected under 35 USC § 103(a) over Lin in view of Inohara. Claims 7-9 and 9-21 are rejected under 35 USC § 103(a) over Lin in view of Manikutty. The rejections are respectfully traversed.

As discussed above, Lin clearly fails to disclose any of the limitations or elements recited in independent Claim 1 and 14, upon which each and every one of claims 5,17, 7-9 and 9-21 depend. None of the Inohara or Manikutty references cure the gross defects of Lin discussed above, nor do any of these references, individually or in any combination, disclose any of the limitations or elements recited in independent Claim 1, 14 or their dependent claims. Thus, the OA fails to set forth a prima facie case of obviousness under 35 USC § 103(a). Therefore, Claims 5, 7-9, 17 and 19-21 are allowable over each and every one of these references, in any combination or individually. Reconsideration is requested.

Other Pending Claims

The pending claims not discussed so far are dependant claims that depend on an independent claim that is discussed above. Because each of the dependant claims include the limitations of claims upon which they depend, the dependant claims are patentable for at least those reasons the claims upon which the dependant claims depend are patentable. Removal of the rejections with respect to the dependant claims and allowance of the dependant claims is respectfully requested. In addition, the dependent claims introduce additional limitations that independently render them patentable. Due to the fundamental difference already identified, a separate discussion of those limitations is not included at this time.
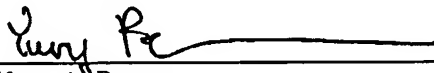
For the reasons set forth above, Applicant respectfully submits that all pending claims are patentable over the art of record, including the art cited but not applied. Accordingly, allowance of all claims is hereby respectfully solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

Dated: November 6, 2006
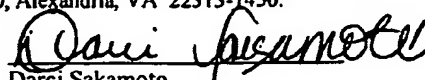
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